

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AMMAR HARRIS,
 Plaintiff,

v.

CHARLES DANIELS, et al.,
 Defendants.

Case No. 2:22-cv-00293-CDS-NJK

ORDER

[Docket No. 47]

Pending before the Court is Plaintiff's motion for clarification. Docket No. 47. The Court construes *pro se* filings liberally, *Blaisdell v. Frappiea*, 729 F.3d 1237, 1241 (9th Cir. 2013), and interprets Plaintiff's motion to be a renewed motion for issuance of summons.

Plaintiff's motion asks the Court to reissue a summons to Wilson F. Bernales that was previously issued to William F. Bernales. Docket No. 47 at 1. Defendant Wilson F. Bernales was added to the Docket as William F. Bernales. *See* Docket Entry for Docket No. 39. The Clerk's Office is **INSTRUCTED** to substitute Wilson F. Bernales in place of William F. Bernales. *See* Docket Nos. 39, 41 at 1 n.2.

Pursuant to this Court's order, the Attorney General's Office filed a notice identifying the defendants for whom it does not accept service. *See* Docket Nos. 31 at 2 (order), 36 (notice of acceptance of service). The Attorney General's Office also filed under seal the last known address of Defendant Wilson F. Bernales. Docket No. 37.

Accordingly, Plaintiff's motion for clarification is **GRANTED**. Docket No. 47. The Court therefore **ORDERS** as follows:

- The Clerk's Office is **INSTRUCTED** to mail Plaintiff a blank copy of the USM-285 form.

- Plaintiff will have twenty days in which to furnish the United States Marshal with the required USM-285 forms with the relevant information as to Defendant Wilson F. Bernales.
- The Clerk's Office will issue summons to Defendant Wilson F. Bernales, and deliver the complaint and that summons to the United States Marshal for service.
- Within twenty days after receiving from the United States Marshal a copy of the Form USM-285, showing whether service has been accomplished, Plaintiff must file a notice identifying whether Defendant Wilson F. Bernales was served. If service was unsuccessful and Plaintiff wishes to have service attempted again, a motion must be filed identifying the unserved defendants and specifying a detailed name and/or address for said defendant, or whether some other manner of service should be attempted.
- Pursuant to Federal Rule of Civil Procedure 4(m), the Court **GRANTS** Plaintiff's request for an extension to file proof of service. Proof of service must be filed no later than February 28, 2023.

IT IS SO ORDERED.

Dated: January 3, 2023



Nancy J. Koppe
United States Magistrate Judge